

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

Kathleen McHugh Strohmeyer, M.D.

Holder of License No. **44670**
For the Practice of Allopathic Medicine

In the State of Arizona.

Case No. MD-14-1211A

**INTERIM CONSENT AGREEMENT
FOR PRACTICE RESTRICTION**

INTERIM CONSENT AGREEMENT

Kathleen McHugh Strohmeyer, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Interim Consent Agreement for Practice Restriction and consents to the entry of this Order by the Arizona Medical Board ("Board").

INTERIM FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of License No. 44670 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-14-1211A after receiving a self-report of narcotic use and diversion from Respondent on August 25, 2014.

4. In her self-report, Respondent admitted to diverting fentanyl for approximately one year. Respondent reported that she began working through recovery approximately six months prior to the self-report, however, she admitted to relapsing approximately two months prior to the self-report for approximately 2-3 weeks. Respondent disclosed that she had recently been asked to take a urinalysis and hair follicle test, which she believed may return a positive result based on her recent relapse.

1 5. On August 26, 2014, Respondent underwent an initial assessment by the
2 Board's Physician Health Program ("PHP) Contractor, who determined that Respondent is
3 not safe to practice at this time.

4 6. The aforementioned information was presented to the investigative staff, the
5 medical consultant and the lead Board member. All reviewed the information and concur
6 that the interim consent agreement to restrict Respondent's practice is appropriate.

7 7. The investigation into Respondent is pending and will return to the Board
8 promptly upon completion for review and action.

9 **INTERIM CONCLUSIONS OF LAW**

10 1. The Board possesses jurisdiction over the subject matter hereof and over
11 Respondent.

12 2. Pursuant to A.R.S. § 32-1405(C)(25) the Executive Director has authority to
13 enter into a consent agreement when there is evidence of danger to the public health and
14 safety.

15 3. Pursuant to A.A.C. R4-16-504, the Executive Director may enter into an
16 interim consent agreement when there is evidence that a restriction is needed to mitigate
17 imminent danger to the public's health and safety. Investigative staff, the Board's medical
18 consultant and the lead Board member have reviewed the case and concur that an interim
19 consent agreement is appropriate.

20 **INTERIM ORDER**

21 IT IS HEREBY ORDERED THAT:

22 1. Respondent is prohibited from engaging in the practice of medicine in the
23 State of Arizona as set forth in A.R.S. § 32-1401(22) until she applies to the Board and
24 receives permission to do so. Respondent may not request release from or modification of
25 this Interim Consent Agreement for Practice Restriction until she has completed a PHP

1 assessment and any recommendations that arise as a result of the assessment including
2 evaluation and treatment.

3 2. Once all of the terms and conditions of this Interim Consent Agreement have
4 been met, Respondent may request release from or modification of this Interim Consent
5 Agreement. The Board has the sole discretion to determine whether all of the terms and
6 conditions of this Interim Consent Agreement have been met and whether Respondent
7 has adequately demonstrated that she has addressed all of the issues identified in this
8 Interim Consent Agreement.

9 3. The Board retains jurisdiction and may initiate new action based upon any
10 violation of this Interim Consent Agreement, including, but not limited to, summarily
11 suspending Respondent's license.

12 4. Because this is an Interim Consent Agreement and not a final decision by
13 the Board regarding the pending investigation, it is subject to further consideration by the
14 Board. Once the investigation is complete, it will be promptly provided to the Board for its
15 review and appropriate action.

16 5. This Interim Consent Agreement shall be effective on the date signed by the
17 Board's Executive Director.

18 RECITALS

19 Respondent understands and agrees that:

20 1. The Board, through its Executive Director, may adopt this Interim Consent
21 Agreement, or any part thereof, pursuant to A.R.S. § 32-1405(C)(25) and A.A.C. R4-16-
22 504.

23 2. Respondent has read and understands this Interim Consent Agreement as
24 set forth herein, and has had the opportunity to discuss this Interim Consent Agreement
25 with an attorney or has waived the opportunity to discuss this Interim Consent Agreement

1 with an attorney. Respondent voluntarily enters into this Interim Consent Agreement and
2 by doing so agrees to abide by all of its terms and conditions.

3 3. By entering into this Interim Consent Agreement, Respondent freely and
4 voluntarily relinquishes all rights to an administrative hearing on the matters set forth
5 herein, as well as all rights of rehearing, review, reconsideration, appeal, judicial review or
6 any other administrative and/or judicial action, concerning the matters related to the
7 Interim Consent Agreement.

8 4. Respondent understands that this Interim Consent Agreement does not
9 constitute a dismissal or resolution of this matter or any matters that may be currently
10 pending before the Board and does not constitute any waiver, express or implied, of the
11 Board's statutory authority or jurisdiction regarding this or any other pending or future
12 investigations, actions, or proceedings. Respondent also understands that acceptance of
13 this Interim Consent Agreement does not preclude any other agency, subdivision, or
14 officer of this State from instituting civil or criminal proceedings with respect to the conduct
15 that is the subject of this Interim Consent Agreement. Respondent further does not
16 relinquish his rights to an administrative hearing, rehearing, review, reconsideration,
17 judicial review or any other administrative and/or judicial action, concerning the matters
18 related to a final disposition of this matter, unless he affirmatively does so as part of the
19 final resolution of this matter.
20

21 5. Respondent acknowledges and agrees that upon signing this Interim
22 Consent Agreement and returning it to the Board's Executive Director, Respondent may
23 not revoke his acceptance of this Interim Consent Agreement or make any modifications to
24
25

1 it. Any modification of this original document is ineffective and void unless mutually
2 approved by the parties in writing.

3 6. Respondent understands that this Interim Consent Agreement shall not
4 become effective unless and until it is signed by the Board's Executive Director.

5 7. Respondent understands and agrees that if the Board's Executive Director
6 does not adopt this Interim Consent Agreement, he will not assert in any future
7 proceedings that the Board's consideration of this Interim Consent Agreement constitutes
8 bias, prejudice, prejudgment, or other similar defense.

9 8. Respondent understands that this Interim Consent Agreement is a public
10 record that may be publicly disseminated as a formal action of the Board, and that it shall
11 be reported as required by law to the National Practitioner Data Bank.

12 9. Respondent understands that this Interim Consent Agreement does not
13 alleviate her responsibility to comply with the applicable license-renewal statutes and
14 rules. If this Interim Consent Agreement remains in effect at the time Respondent's
15 allopathic medical license comes up for renewal, she must renew her license if
16 Respondent wishes to retain her license. If Respondent elects not to renew her license as
17 prescribed by statute and rule, Respondent's license will not expire but rather, by
18 operation of law (A.R.S. § 32-3202), become suspended until the Board takes final action
19 in this matter. Once the Board takes final action, in order for Respondent to be licensed in
20 the future, she must submit a new application for licensure and meet all of the
21 requirements set forth in the statutes and rules at that time.

22 10. Respondent understands that any violation of this Interim Consent
23 Agreement constitutes unprofessional conduct under A.R.S. § 32-1401(27)(r) ("[v]iolating a
24
25

1 formal order, probation, consent agreement or stipulation issued or entered into by the
2 board or its executive director under this chapter").

3
4
5 
6 Kathleen McHugh Strohmeyer, M.D.

DATED: 9/12/14

7
8
9 DATED this 12th day of September, 2014.

10
11 ARIZONA MEDICAL BOARD

12 By

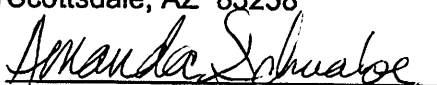

13 Patricia E. McSorley
14 Acting Interim Executive Director

15 EXECUTED COPY of the foregoing e-mailed
16 this 12th day of September, 2014 to:

17 Kathleen McHugh Strohmeyer, M.D.
18 Address of Record

19 ORIGINAL of the foregoing filed
20 this 12th day of September, 2014 with:

21 Arizona Medical Board
22 9545 E. Doubletree Ranch Road
23 Scottsdale, AZ 85258


24 Board Staff
25